

[Digitek MDL Federal Court Judge Goodwin Issues Litigation Stay In August 2010](#)

October 2010 Meeting With State Court Judges Is Postponed; Fate Of Digitek Bellwether Trials Uncertain

(Posted by Tom Lamb at www.DrugInjuryWatch.com on August 25, 2010; see <http://bit.ly/bSExWh>)

On August 12, 2010 U.S. District Court Judge Joseph Goodwin issued [Pretrial Order #62 \(Re: Stay of Litigation\)](#) for the *In Re Digitek® Product Liability Litigation, MDL No. 1968*, which begins with this simple but far-reaching statement:

For reasons appearing to the court, I **ORDER** that all discovery, motion practice and any scheduled hearings in cases in MDL 1968 are hereby **STAYED** until October 26, 2010.

The full ramifications of this August 2010 Order are not yet clear, but it seems relatively certain that Judge Goodwin will not be meeting with the several state courts handling Digitek cases around the country -- namely, Alan Moats of Taylor County, West Virginia, Buddie Hahn of Orange County, Texas; Sandra Moss of Philadelphia, Pennsylvania, and Brian Martinotti of New Jersey -- for a hearing in Philadelphia, PA on October 13 and 14, 2010. [This meeting had been arranged by Judge Goodwin back in back in December 2009](#), when he issued [Pretrial Order #48](#) for *In Re Digitek® Product Liability Litigation, MDL No. 1968*, entitled "Joint Hearing to Address Challenges to Scientific and Technical Evidence".

There were approximately 850 lawsuits in the federal court Digitek MDL at the time when this Pretrial Order was issued by Judge Goodwin in August 2010.

Previously, in November 2009, Judge Goodwin issued [Pretrial Order #47](#) by which it was announced that five Digitek federal court cases had been selected for trial. These cases would serve as the first set of so-called "bellwether", or test cases, for the Digitek MDL.

At the present time, it is unclear what effect Pretrial Order #62 will have on those Digitek bellwether trials.

We will continue to monitor the Digitek litigation and report significant developments here on our Drug Injury Watch blog.

Attorney [Tom Lamb](#) represents people in personal injury and wrongful death cases involving unsafe prescription drugs or medication errors. The above article was posted originally on his blog, **Drug Injury Watch** – with live links and readers' Comments.
<http://www.DrugInjuryWatch.com>